

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

No. 1:17-cr-32

Plaintiff,

Hon. Janet T. Neff
U.S. District Court Judge

v.

RYAN ARNEAL LANE,

Hon. Ellen S. Carmody
U.S. Magistrate Judge

Defendant.

MOTION TO MODIFY OR REVOKE BOND

Now comes the United States of America by Andrew Byerly Birge, Acting United States Attorney for the Western District of Michigan, and Mark V. Courtade, Assistant United States Attorney, and moves this court to modify or revoke the bond of Defendant.

On February 7, 2017, Defendant appeared for an initial appearance and was placed on bond by U.S. Magistrate Ellen S. Carmody. Defendant's bond was continued at subsequent hearings. Defendant is scheduled for a final pretrial conference before U.S. District Judge Janet T. Neff on May 15, 2017. Conditions of Defendant's bond include not committing any violations of local, state or federal law; among others.

A Notice of Bond Violation dated March 14, 2017, indicates Defendant has knowingly and willingly failed to comply with the Location Monitoring Program. Specific violations are detailed in the Notice. It appears Defendant has committed violations of the conditions of his bond.

WHEREFORE, the Government moves for modification or revocation of Defendant's bond.

BRIEF IN SUPPORT

Title 18, United States Code, Sections 3148(a) and (b) state:

(a) **Available sanctions.**— A person who has been released under section 3142 of this title, and who has violated a condition of his release, is subject to a revocation of release, an order of detention, and a prosecution for contempt of court.

(b) **Revocation of release.** – The attorney for the Government may initiate a proceeding for revocation of an order of release by filing a motion with the district court. A judicial officer may issue a warrant for the arrest of a person charged with violating a condition of release, and the person shall be brought before a judicial officer in the district in which such person's arrest was ordered for a proceeding in accordance with this section. To the extent practicable, a person charged with violating the condition of release that such person not commit a Federal, State, or local crime during the period of release, shall be brought before the judicial officer who ordered the release and whose order is alleged to have been violated. The judicial officer shall enter an order of revocation and detention if, after a hearing, the judicial officer—

(1) finds that there is—

(A) probable cause to believe that the person has committed a Federal, State, or local crime while on release; or

(B) clear and convincing evidence that the person has violated any other condition of release; and

(2) finds that—

- (A) based on the factors set forth in section 3142(g) of this title, there is no condition or combination of conditions of release that will assure that the person will not flee or pose a danger to the safety of any other person or the community; or
- (B) the person is unlikely to abide by any condition or combination of conditions of release.

If there is probable cause to believe that, while on release, the person committed a Federal, State, or local felony, a rebuttable presumption arises that no condition or combination of conditions will assure that the person will not pose a danger to the safety of any other person or the community. If the judicial officer finds that there are conditions of release that will assure that the person will not flee or pose a danger to the safety of any other person or the community, and that the person will abide by such conditions, the judicial officer shall treat the person in accordance with the provisions of section 3142 of this title and may amend the conditions of release accordingly.

18 U.S.C. § 3148(a)and (b).

Defendant has violated the conditions of his bond.

WHEREFORE, the Government requests that the Court issue a summons for Ryan Arneal Lane for him to appear and show cause why his bond should not be modified or revoked.

Respectfully submitted,

ANDREW BYERLY BIRGE
Acting United States Attorney

March 16, 2017

/s/ Mark V. Courtade
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